

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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JOHN TROTTER,

Petitioner,

v.

DAVID L. WINN,

Respondent.

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) C.A. NO. 04-40118-MLW  
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**RESPONDENT'S MOTION TO EXTEND TIME  
IN WHICH TO RESPOND TO PETITIONER'S COMPLAINT FOR HABEAS CORPUS**

Now comes the above-captioned Respondent<sup>1</sup> and hereby moves this Court for an extension of time **up to and including October 25, 2004**, to answer or otherwise respond to Petitioner's Complaint. As reasons therefor, the undersigned counsel for Respondent asserts that such an extension will allow the Assistant U.S. Attorney the additional time to obtain relevant facts and background information of this matter from the relevant agency (Bureau of Prisons). Petitioner, a federal inmate serving a 60 month sentence beginning in June, 2001, will not be prejudiced by this extension. The issue involved deals with the Bureau of Prisons, computation of his good time credit.

WHEREFORE, Respondent respectfully requests that this Court allows his motion for

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<sup>1</sup> This motion is not intended to be a responsive pleading. By the filing of this motion, Respondent is not waiving any of the procedural, affirmative, or other waivable and non-waivable defenses available to it in the normal course of filing a responsive pleading. Respondent intends to raise those defenses when it answers or otherwise responds to the Complaint.

an extension of time **up to and including October 25, 2004**, to answer or otherwise respond to the Petition.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ Michael Sady  
Michael Sady  
Assistant U.S. Attorney  
John Joseph Moakley U.S. Courthouse  
Suite 9200  
Boston, MA 02210  
(617) 748-3100

Dated: September 20, 2004

**CERTIFICATION UNDER L.R. 7.1**

Pursuant to Local Rule 7.1(a)(2), since petitioner is pro se the parties have not conferred with regard to this motion.

/s/ Michael Sady  
Michael P. Sady  
Assistant U.S. Attorney

**CERTIFICATE OF SERVICE**

I certify that on, I caused a copy of the foregoing Motion to be served on September 20, 2004 by first class mail, postage pre-paid to Petitioner, register number 04234-015. FMC, Devens, P.O. Box 879, Ayer, MA 01432.

/s/ Michael Sady  
Michael Sady  
Assistant U.S. Attorney